

REMARKS

Claims 8–22 were presented for examination and were rejected. No claims have been amended.

Claim Rejections

The Examiner rejected claims 8–22 under § 103 as obvious over by U.S. Patent 6,025,870 to Hardy (“Hardy”) in view of U.S. Patent 6,073,192 to Clapp et al. (“Clapp”). As discussed below, claims 8–22 each recite at least one limitation not taught or suggested by the combination of Hardy and Clapp, and are therefore allowable over Hardy and Clapp. Because each independent claim (claims 8, 13, and 19) includes one or more limitations not taught or suggested by the combination of Hardy and Clapp, only the independent claims are discussed herein.

It is the Examiner’s burden to establish a *prima facie* case of obviousness. MPEP § 2142. A *prima facie* case of obviousness is established if: (1) there is some suggestion or motivation to combine the references, (2) there is a reasonable expectation of success, and (3) the combination teaches or suggests all the claim limitations. For purposes of this response, it is sufficient to point out that Examiner’s proposed combination does not teach or suggest all of the limitations of independent claims 8, 13, and 19. However, Applicant does not concede that there is suggestion or motivation to combine the references, nor that there is a reasonable expectation of success in making the combination; and Applicant reserves the right to challenge Examiner’s proposed combination on these grounds at a later date.

As discussed in many previous responses, Hardy is drawn to a videoconferencing system that includes a video switch for selecting focus video information. Hardy’s system relates to a video switch device capable of “switching an *input* to a videoconference recording and/or viewing device between multiple available sources in a videoconference system.” Hardy at col. 1, ll. 17–20. Like other videoconferencing units typical in the art, the Hardy system includes a videoconferencing unit (VCU) including a network interface for connection to various peripherals located at the near endpoint, *e.g.*, cameras and

microphones. Hardy does not, however, disclose a multipoint control unit *integral* with a videoconferencing unit, as claimed in the present application.

Clapp discloses a video conferencing system that is contained with an integral housing for communication with a host computer system. This is essentially an add-on conferencing peripheral for a general purpose computer. Like Hardy, Clapp also fails to teach or suggest a multipoint control unit integral with a videoconferencing unit, as claimed in the present application.

The failure Hardy and Clapp, either separately or in combination, to teach or suggest a plurality of processing trains corresponding to video signals received from a plurality of remote endpoints renders the rejection inappropriate.

Claim 8

For example, currently pending claim 8 recites the following:

8. (previously presented) A method for conducting a conference between a near conference endpoint and a plurality of remote conference endpoints connected for communication by a network, comprising the steps of:
 - at the near conference endpoint:
 - generating local audio and video signals;
 - receiving audio and video signals from the plurality of remote conference endpoints;
 - creating a plurality of processing trains for processing the received signals, each processing train uniquely corresponding to one of the plurality of remote conference endpoints;*
 - processing the received audio and video signals;
 - combining the processed audio and video signals with the local audio and video signals; and
 - transmitting the combined audio and video signals to each of the plurality of remote conference endpoints.

As explained in the following analysis, the combination of Hardy and Clapp is missing *at least* the highlighted limitation required by pending claim 8.

First, Hardy contains no teaching or suggestion of “*creating a plurality of processing trains ... uniquely corresponding to one of the plurality of remote conference endpoints.*” The Examiner suggests this limitation may be found in Hardy at col. 3, ll. 13–34 and col. 5, l. 32–col. 6, l. 34. However, as applicant has pointed out numerous times,

these passages clearly fail to teach or suggest a plurality of processing trains for signals received from a plurality of remote endpoints.

The passage at col. 3, ll. 13–34 describes the sequence of events by which the video switch described by Hardy determines which one of the local video sources is the current video source. Specifically, the passage refers to “receiving video information by a video switch from each one of a plurality of video sources, the plurality of video sources including *a remote video source and a plurality of local video sources.*” Hardy at col. 3, ll. 13–16. This is clear teaching that *Hardy contemplates only one remote video source. There is no plurality of remote conference endpoints, as required by claim 8.* Furthermore, the passage relates to switching between each of the plurality of video sources, *i.e.*, the single remote source and the multiple local cameras. Specifically Hardy teaches switching between any one of these sources. *Id.* at col. 3, ll. 16–34. There is no plurality of processing trains, as required by claim 8. This first cited passage of Hardy never teaches or suggests creating a plurality of processing trains as claimed in the present application; only one source is processed. Thus, this passage does not support Examiner’s argument that “a plurality of processing trains each ... uniquely corresponding to one of the plurality of remote conference endpoints” is taught or suggested by Hardy.

The second passage of Hardy cited by Examiner (col. 5, l. 32 through column 6, l. 24) as teaching multiple processing trains corresponding to multiple endpoints also fails to teach or suggest the required limitation. From casual inspection, it is clear that the passage contains no teaching or suggestion of “creating a plurality of processing trains ... uniquely corresponding to one of the plurality of remote conference endpoints.” The cited passage relates to interaction of Hardy’s network interface mux/demux, audio and video blocks, and video switch in processing audio and video information. There is no *plurality* of anything disclosed or suggested, and *Hardy certainly does not teach a plurality of processing trains or a plurality of remote endpoints.* In fact, col. 6, l. 26 makes clear that the only remote video information processing occurs in video processor 40, and there is no teaching or suggestion of multiple processing trains. Conversely, Fig. 3 of Applicant’s specification clearly shows multiple processing trains 302 and 304.

Clapp fails to teach or suggest the plurality of processing trains corresponding to a plurality of remote endpoints limitation required by claim 8 and absent from Hardy. Examiner makes no attempt to show where Clapp teaches this limitation, and the undersigned has been unable to find any. Clapp simply does not in any way, shape or form teach or suggest creating a plurality of processing trains corresponding to a plurality of remote endpoints.

Based on the absence of this limitation from the proposed combination, it is respectfully submitted that claim 8 and all claims depending therefrom are allowable over the combination of Hardy and Clapp for at least the reasons discussed above. It is also noted that there may be other limitations of the claims not taught or suggested by the combination of Hardy and Clapp. However, in view of the above, it is not necessary to address these differences at this time. Because claim 8 recites one or more limitations not found in the cited art of record, reconsideration and withdrawal of the rejection of claim 8 and the claims depending therefrom is respectfully requested.

Claims 13 and 19

Examiner also rejected independent claims 13 and 19¹ using the same rationale as claim 8. Therefore, these claims, and all claims depending therefrom, are allowable for at least the reasons discussed above regarding the absence of the plurality of processing trains corresponding to video signals received from a plurality of remote endpoints.

¹ In his rejection of claim 19, Examiner proposes that "this is a means claim with similar limitations as claim 1 [sic: 8] and 13 above. Therefore it is rejected with the same rationale." As noted above, the rejection of claims 8 and 13 is improper because the combination of references fails to disclose or suggest each and every limitation of these claims. Therefore, rejection of claim 19 is inappropriate for the same reasons. Furthermore, claim 19 phrases the limitations in means plus function language, thereby invoking 35 U.S.C. §112, paragraph 6. As Examiner knows, the scope of such a claim is the structure disclosed in the specification for performing the recited function and equivalents thereof. Thus, a proper construction of the claim language requires identifying the structure disclosed in the specification for performing the recited function. The construction of this limitation is not necessarily identical to other claims using similar, but not means-plus-function language. Therefore, reconsideration of the claim in light of the proper legal standard is requested.

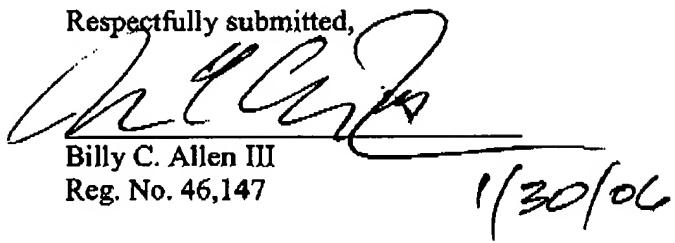
Additionally, the undersigned believes that careful review by Examiner of the Applicant's specification to identify the structures corresponding to the functional language will aid the Examiner's understanding the above comments with respect to claim 8 regarding the references' utter failure to teach or suggest a plurality of processing trains corresponding to a plurality of remote endpoints.

Conclusion

Reconsideration and withdrawal of the rejection of claims 8-22 is therefore requested.

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Respectfully submitted,



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